



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE September 1, 2006 LOCAL EFFECTIVE DATE September 15, 2006 APPROX FINAL EFFECTIVE DATE October 6, 2006	CONTACT/PHONE Ryan Hostetter 788-2351	APPLICANT Richard & Shirley Lee	FILE NO. DRC2005-00244
SUBJECT Request by Richard and Shirley Lee for a Minor Use Permit/Coastal Development Permit to allow an approximately 864 square foot garage addition to the existing 2,311 square foot single family residence and convert the existing garage to living space. The project will result in the disturbance of approximately 1,000 square feet of a 12,250 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 2010 Pineridge Drive in the community of Cambria. The site is in the North Coast planning area.			
RECOMMENDED ACTION Approve Minor Use Permit/Coastal Development Permit DRC2005-00244 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on August 4, 2006 (ED06-041).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Terrestrial Habitat, Local Coastal Program	ASSESSOR PARCEL NUMBER 024-063-051 & -082	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Setbacks, Height, Footprint and Gross Structural Area Limitations <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Local Coastal Program and Terrestrial Habitat <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

EXISTING USES: Residential Single Family	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Single Family/residential <i>East:</i> Residential Single Family/residential <i>South:</i> Residential Single Family/residential <i>West:</i> Residential Single Family/residential	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: The project was referred to: North Coast Advisory Council, Public Works, Cambria Community Services District, and the California Coastal Commission	
TOPOGRAPHY: Moderately Sloping	VEGETATION: Cambria Pines, Coast live oaks, grasses, and ornamental vegetation
PROPOSED SERVICES: Water supply: CCSD Sewage Disposal: CCSD Fire Protection: Cambria Fire	ACCEPTANCE DATE: July 13, 2006

PLANNING AREA STANDARDS:

Lot Size: 12,250 square feet
 Special Project Area No. 2
 Oversized lot adjustment: 2.33

Slope: approx 20 percent
 Number of trees to be removed: 2 pine and 0 oaks
 Base: 1,100 sq ft footprint, 1,900 sq ft GSA

PROJECT REVIEW	ALLOWABLE	PROPOSED	STATUS
FOOTPRINT (SQUARE FEET)	1,100 x 2.33 = 2,563	1,927.41	OK
GSA (SQUARE FEET)	1,900 x 2.33 = 4,427	3,175.41	OK
DECKS (SQUARE FEET)			
PERVIOUS	769	347.6	OK
IMPERVIOUS	256	0	OK
HEIGHT (FEET)	25'	25'	OK
SETBACKS (FEET)			
FRONT	10'	8'	OK w/sloping lot adjustment
REAR	15'	19'	OK
SIDE	5'	6'	OK
STREET SIDE	10'	N/A	N/A

LAND USE ORDINANCE STANDARDS:

The project site is located within the California Coastal Zone as determined by the California Coastal Act of 1976 and is subject to the provisions of the Local Coastal Plan.

COASTAL PLAN POLICIES: This project is in compliance with the Coastal Plan Policies, the most relevant policies are discussed below.

Geologic Study Area: While the project is within a Geologic Study area due to the Safety Element maps showing the site within the high landslide area, the project is exempt from the geologic report because the value of the addition is less than 50% of the value of the existing structure on site. (Section 23.07.082 b)

Public Works:

Policy 1: Availability of Service Capacity applies to the project. The proposed project is conditioned to meet the requirements of the Cambria Community Services District and pay any impact fees for additional water fixtures.

Coastal Watersheds:

Policy 7: Siting of new development: The proposed project is consistent with this policy because the proposed addition will be located on an existing lot of record in the Residential Single Family category and there is no area of the site with a slope of less than 20 percent.

Policy 8: Timing of new construction: The proposed project is consistent with this policy because if grading is to occur or left unfinished between October 15 through April 15 the project is required to have an erosion and sedimentation control plan and all sedimentation and erosion control measures will be in place before the start of the rainy season.

Policy 10: Drainage Provisions: The proposed project is consistent with this policy because the project is required to have a drainage plan that shows the construction of the addition will not increase erosion or runoff.

Hazards:

Policy 1: New Development: The proposed project is consistent with this policy because it is located and designed to minimize risks to human life and property.

Policy 2: Erosion and Geologic Stability: The proposed project is consistent with this policy because it is designed to ensure structural stability while not creating or contributing to erosion of geological instability.

Environmentally Sensitive Habitats:

Policy 1: Land Uses Within or Adjacent to Environmentally Sensitive Habitats: The proposed project is consistent with this policy because it will not significantly disrupt the habitat and tree removal and site disturbance have been minimized. There is no tree removal proposed with this project.

Policy 2: Permit Requirement: The proposed project is consistent with this policy because there will be no significant impact on sensitive habitats and proposed development will be consistent with the biological continuance of the habitat.

Policy 3: Habitat Restoration: The proposed project is consistent with this policy because if removed, Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis, however there is no tree removal proposed with this project.

Policy 27: Protection of Terrestrial Habitats: The proposed project is consistent with this policy because the project does not propose to remove sensitive vegetation.

Policy 28: Protection of Native Vegetation: The proposed project is consistent with this policy because tree removal and site disturbance have been minimized. If trees are removed,

Monterey Pine trees will be replaced on a two-to-one basis and Coast Live Oak trees will be replaced on a four-to-one basis.

Policy 33: Protection of Vegetation: The proposed project is consistent with this policy because site disturbance have been minimized through project design.

Visual and Scenic Resources:

Policy 7: Preservation of Trees and Native Vegetation: The proposed project is consistent with this policy because disturbance has been minimized through project design.

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COMMUNITY ADVISORY GROUP COMMENTS: The July 6, 2006 North Coast Advisory Council Land Use Committee Report recommends approval of the project.

AGENCY REVIEW:

Public Works – Drainage Plan required.

Cambria Community Services District –Requires parcel merger, and other requirements have been complied with.

Cambria Fire –None received as of August 4, 2006.

LEGAL LOT STATUS:

The lot was legally created by a recorded map at a time when that was a legal method of creating lots.

Staff report prepared by Ryan Hostetter and reviewed by Matthew Janssen

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303 because the project is a minor addition to an existing single-family residence.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the project does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the project is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on a road constructed to a level able to handle any additional traffic associated with the project.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Terrestrial Habitat

- H. The project or use will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because tree removal has been minimized and if trees are removed or impacted they will be replaced.

- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements, because the proposed structure has been designed to minimize tree removal and site disturbance.
- J. Any proposed clearing of topsoil, trees, or other features is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because tree removal and site disturbance have been minimized and if pine trees are removed, they will be replaced on a two-to-one basis. Oak trees will be replaced on a four-to-one basis.
- K. The soil and subsoil conditions are suitable for any proposed excavation; site preparation and drainage improvements have been designed to prevent soil erosion and sedimentation of streams through undue surface runoff, because, as conditioned, the project or use meets drainage and erosion control standards specified by the County Public Works Department.
- L. There will be no significant negative impact to the identified sensitive habitat and the project or use will be required to replace removed oaks and pines on a four-to-one basis and two-to-one basis respectively.
- M. The project or use will not significantly disrupt the habitat, because it is a single-family residence with minimal site disturbance.

EXHIBIT B - CONDITIONS OF APPROVAL

Authorized Use

1. This approval authorizes an approximately 864 square foot garage addition to the existing 2,311 square foot single family residence and convert the existing garage to living space. The project will result in the disturbance of approximately 1,000 square feet of a 12,250 square foot parcel.
2. All development shall be consistent with the approved Site Plan, Floor Plans, and Elevations.

Conditions to be completed prior to issuance of a construction or grading permit

Grading, Drainage, Sedimentation and Erosion Control

3. If grading is to occur between October 15 and April 15, a sedimentation and erosion control plan shall be submitted pursuant to Coastal Zone Land Use Ordinance Section 23.05.036.
4. The applicant shall submit a drainage plan for review and approval by the County Public Works Department.

Fire Safety

5. The applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cambria Fire Department.

Cambria Community Services District

6. The applicant shall apply for a remodel of existing service and pay impact fees to the CCSD.

Landscape Plan

7. The applicant shall submit for Planning Director review and approval, a Landscape Plan that provides for the planting of all open areas of the site disturbed by project construction with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest. In addition, non-native, invasive, and water intensive (e.g. turf grass) landscaping shall be prohibited on the entire site.

Tree Protection/Replacement

In an effort to protect individual oak and pine trees, the mixed forest habitat, and the species that depend upon that habitat, the following measures shall be implemented:

8. The applicant shall limit tree removal to no more than two healthy pine trees having a eight inch diameter or larger at four feet from the ground. Construction plans shall clearly delineate all trees within 50 feet of the proposed project, and shall show which trees are to be removed or impacted, and which trees are to remain unharmed.
9. **Prior to issuance of a construction permit**, the applicant shall fence the proposed area of disturbance and clearly tag which trees are to be removed or impacted. The trees tagged in the field shall be consistent with the trees delineated on the construction plans. Tree removal, grading, utility trenching, compaction of soil, or placement of fill shall not occur beyond the fenced disturbance area. The fencing shall remain installed until final inspection.
10. The two Monterey pine trees removed as a result of the grading for the addition shall be replaced at a 2:1 ratio. A total of 4 Monterey pine trees shall be planted. Monterey pine replacement trees shall be one gallon saplings grown from the Cambrian stand; *Pinus radiata macrocarpa*.

Replacement trees shall be planted on-site through the following process:

- A. **Prior to issuance of a construction permit**, the applicant agrees to secure a bond with the County to cover the costs of planting, monitoring, and maintaining the required replacement trees for the minimum three year period.
- B. **Prior to final inspection**, the replacement trees required in Condition #8 above shall be planted. These newly planted trees shall be maintained until successfully established. This shall include caging from animals (e.g., deer, rodents), periodic weeding and adequate watering (e.g., drip-irrigation system). If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- C. Once the replacement trees have been planted, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to prepare a letter stating the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.
- D. To promote the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees until successfully established, on an annual basis, for no less than three years. The first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the newly planted vegetation is successfully established. The applicant and successors-in-interest agree to complete any necessary remedial measures identified in the report and approved by the Environmental Coordinator.

11. Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize trimming of the remaining oaks. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

Conditions applicable throughout project construction

Building Height

12. The maximum height of the project is 25 feet (as measured from average natural grade).
 - A. **Prior to any construction**, a licensed surveyor or registered civil engineer shall first file with the Building Official certification of compliance with the flood hazard elevation requirements, and shall then stake the lot corners, building corners, and establish average finished grade and set a reference point (benchmark).
 - B. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
 - C. **Prior to approval of the roof-nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer. Grading, Drainage, Sedimentation and Erosion Control
13. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control device or drainage system approved by the County Engineer.

Archaeology

14. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - A. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.

- B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

Fire Safety

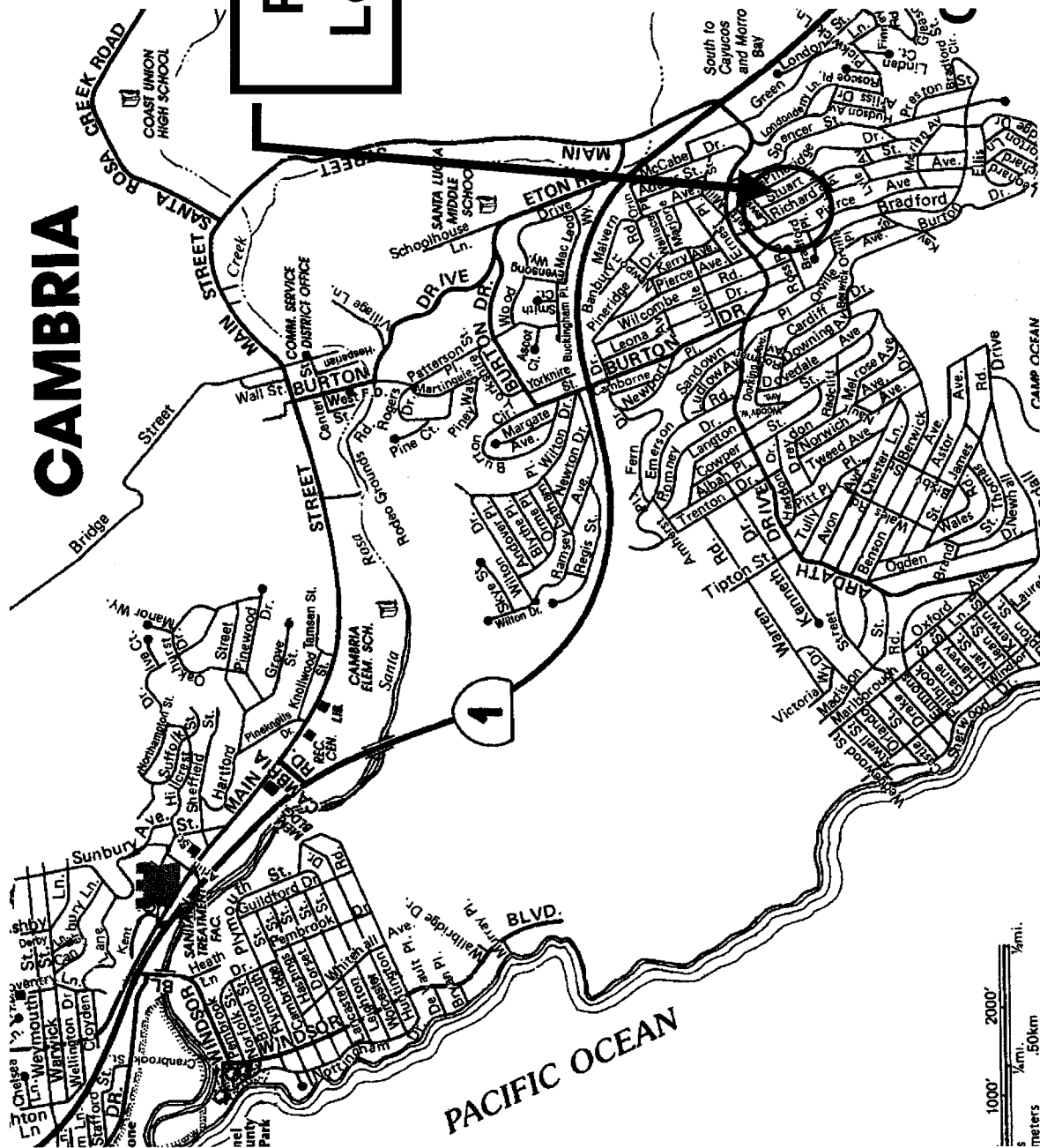
15. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection and approval from Cambria Fire Department of all required fire/life safety measures.

Miscellaneous

16. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
17. This permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050. This permit is generally considered to be vested once a building permit has been issued and substantial site work has been completed. Substantial site work is defined (Section 23.02.042) as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade ('sticks in the air').
18. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.

CAMBRIA

Project Location



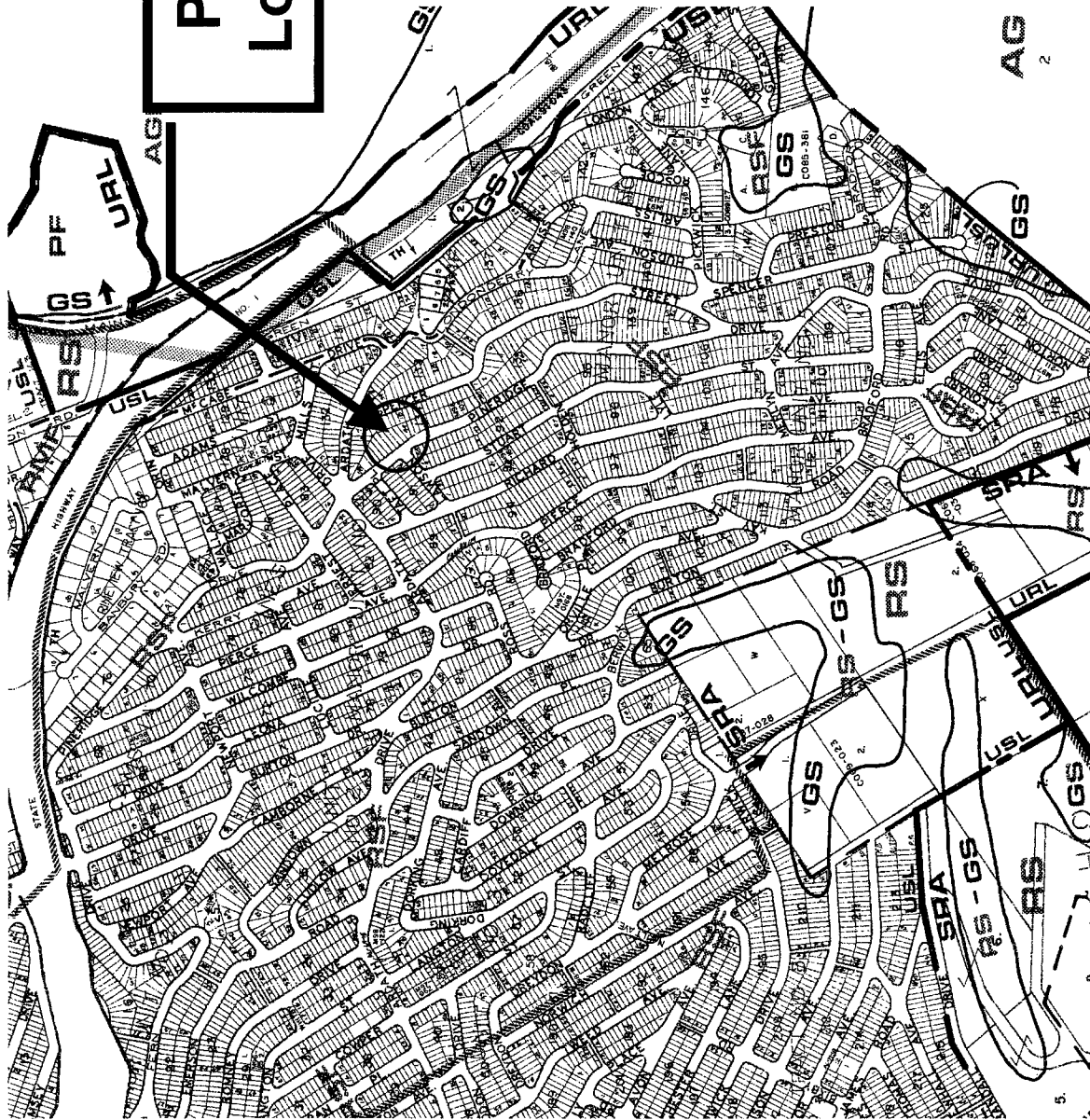
PROJECT

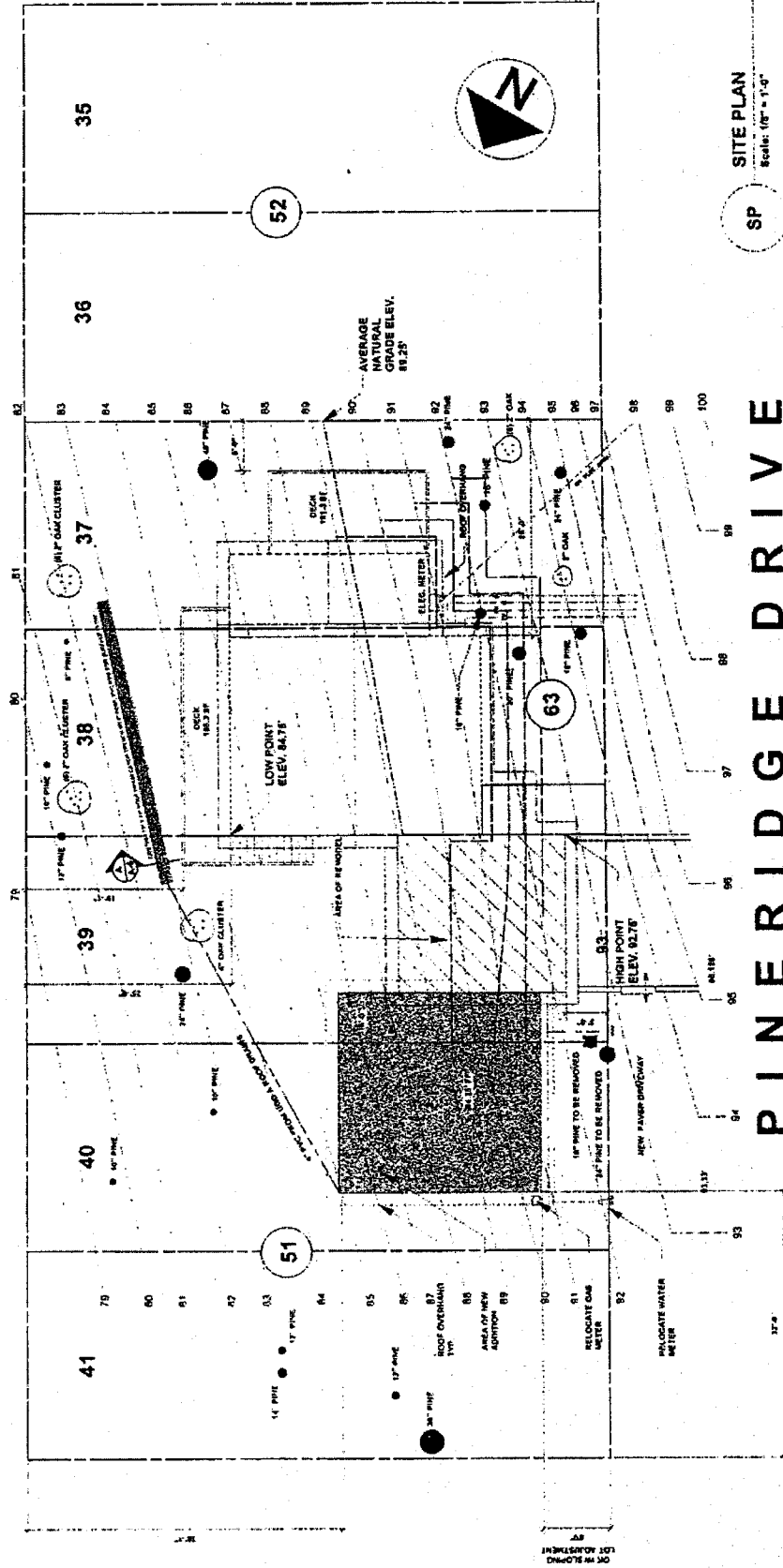
Minor Use Permit
Paulson DRC2005-00244

EXHIBIT

Vicinity Map

Project
Location





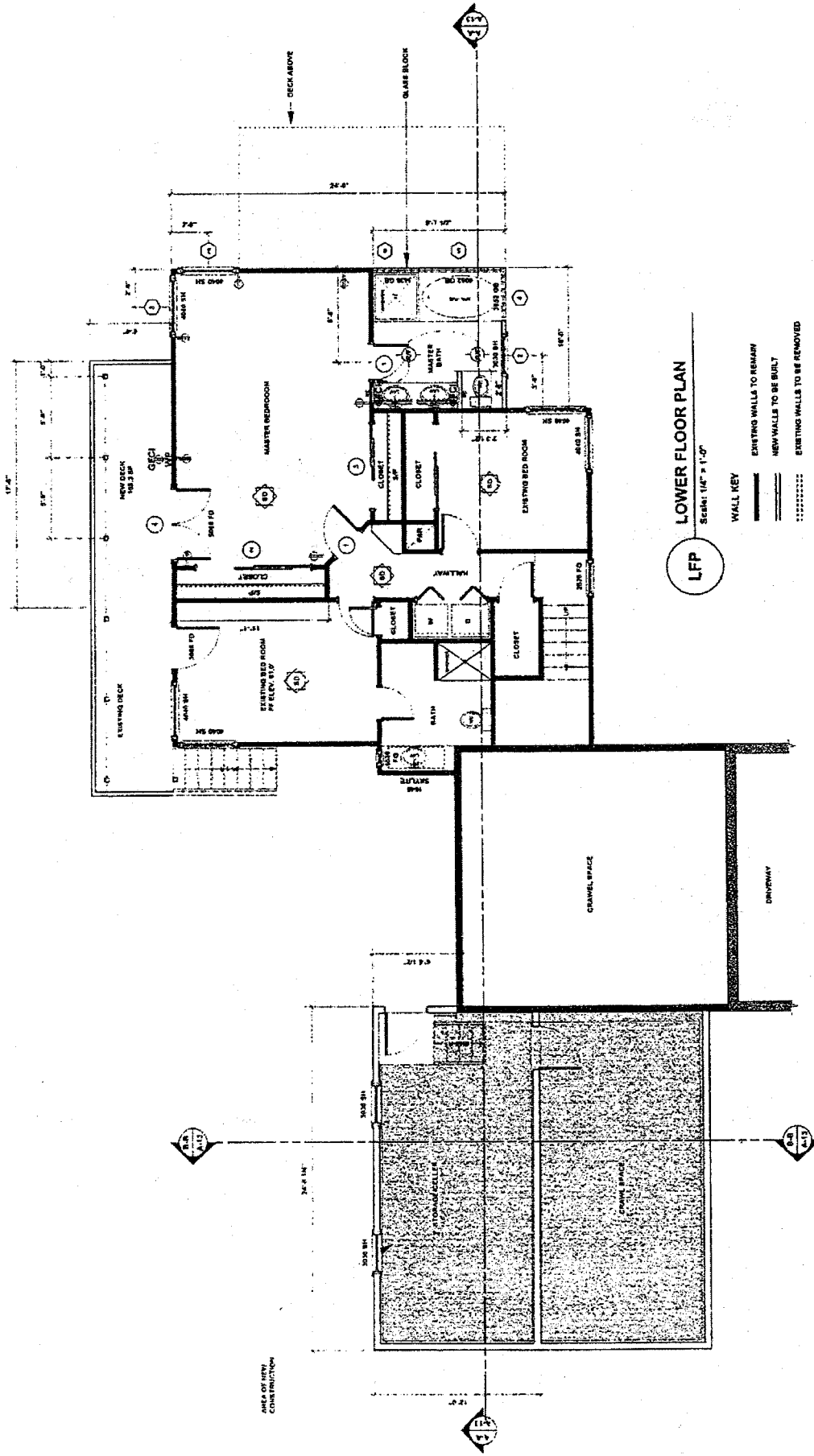
SITE PLAN
Scale: 1/8" = 1'-0"

EXHIBIT

Site Plan



PROJECT
Minor Use Permit
Paulson DRC2005-00244



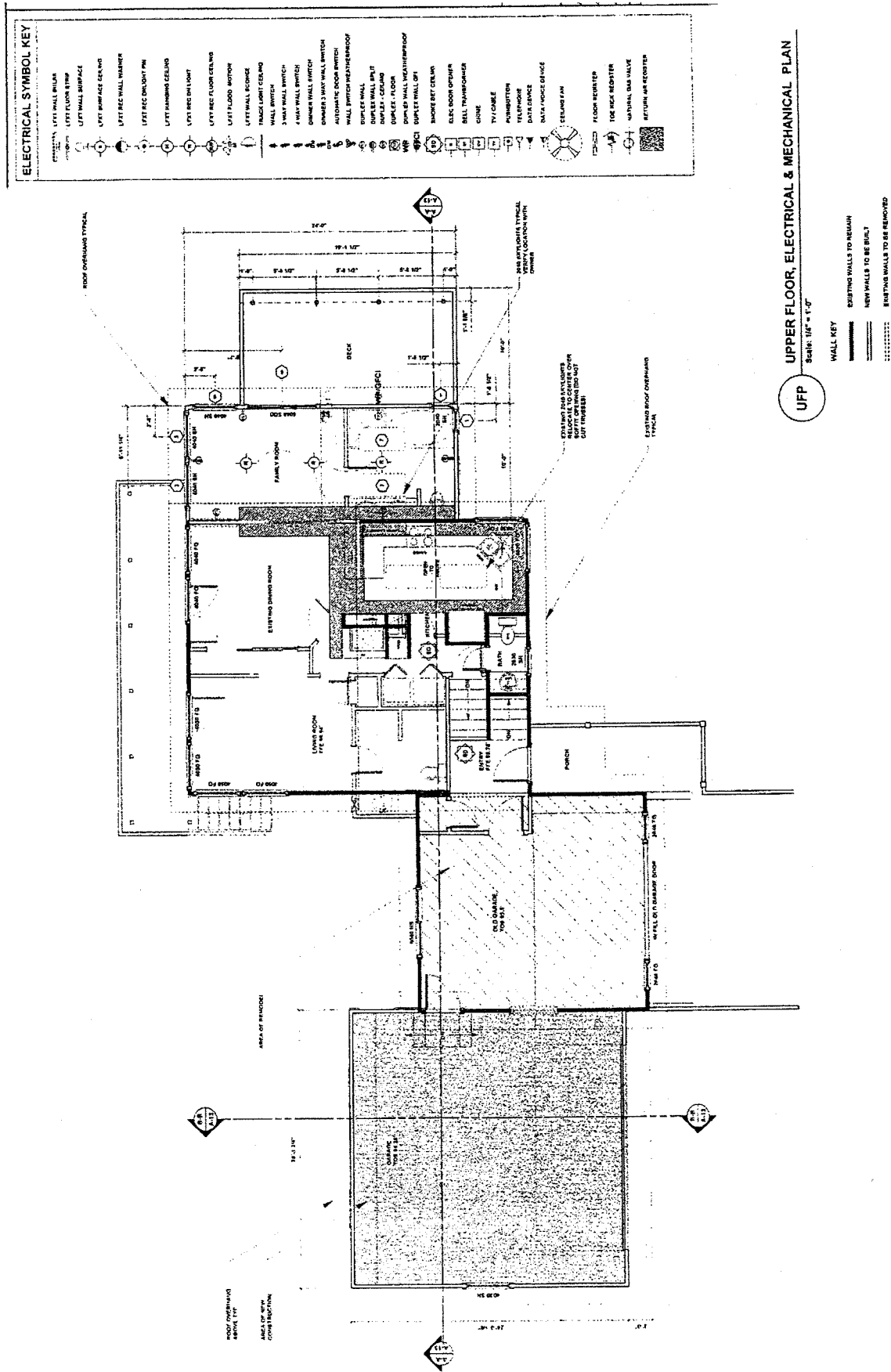
PROJECT

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EXHIBIT

Lower Floor Plan





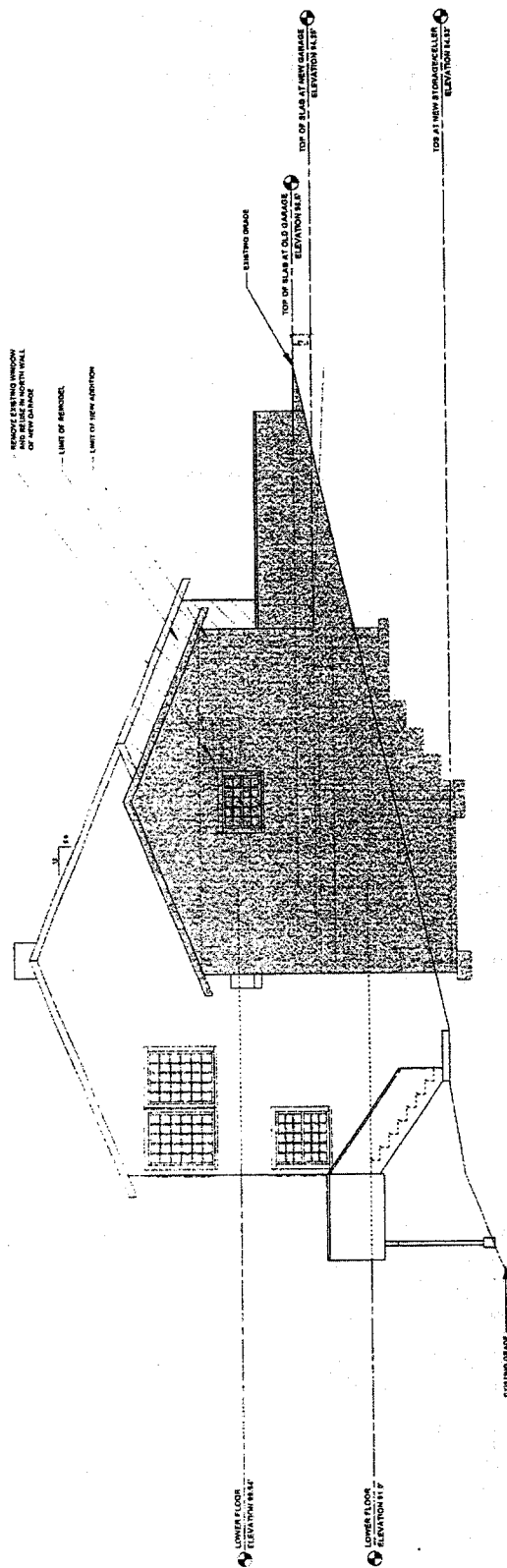
PROJECT

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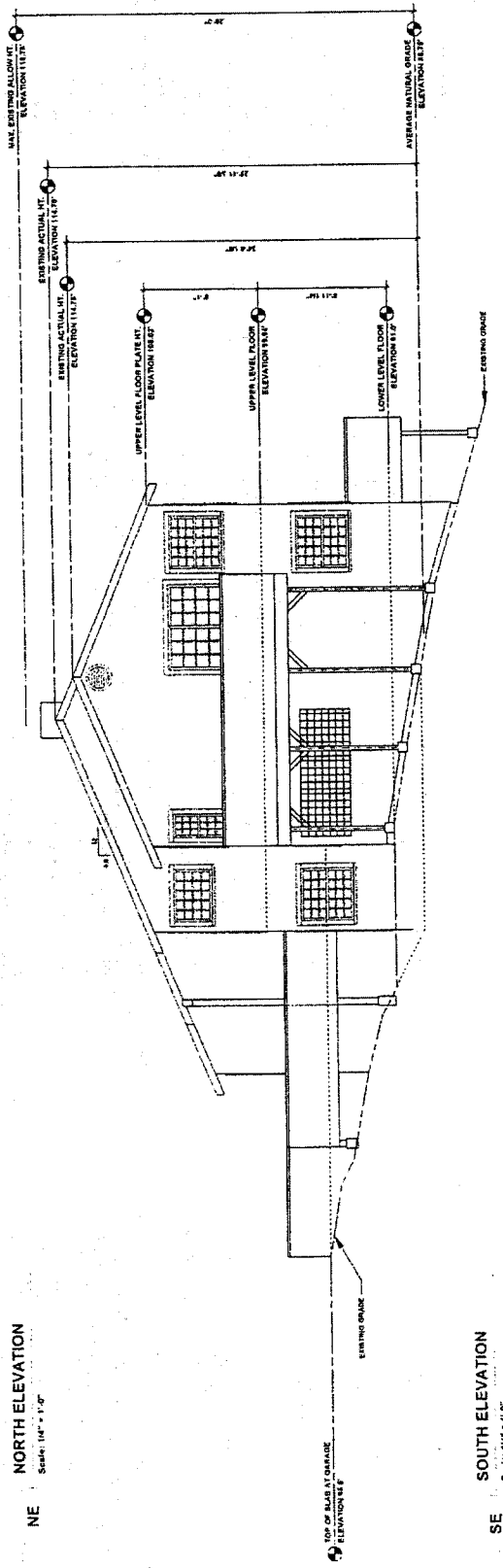


EXHIBIT

Upper Floor Plan



NORTH ELEVATION
Scale: 1/4" = 1'-0"



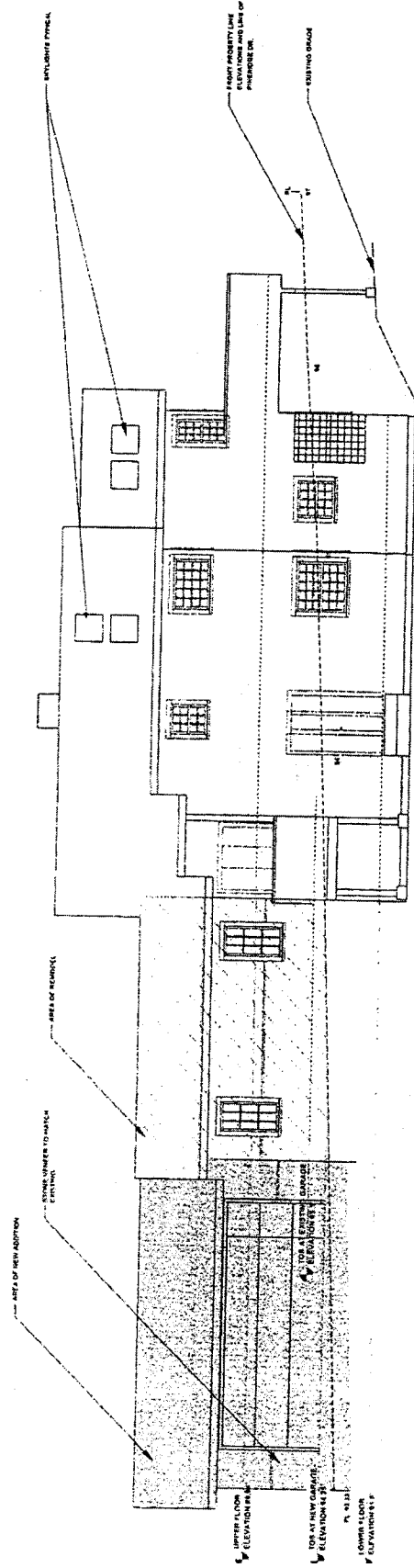
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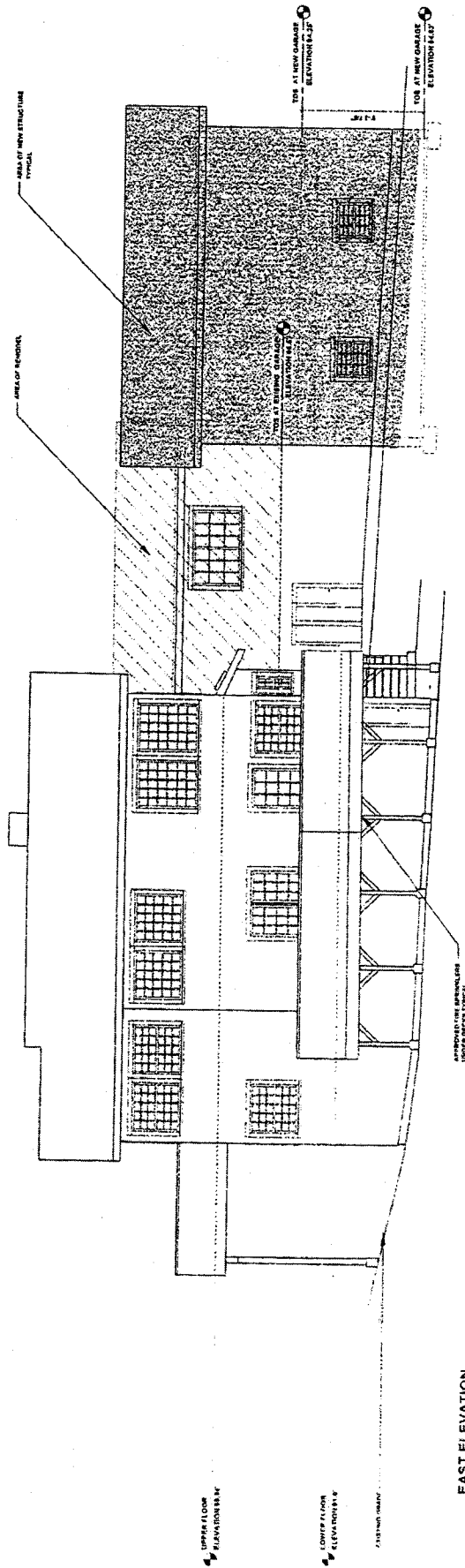
EXHIBIT

North & South Elevations



WE WEST ELEVATION

Scale: 1/4" = 1'-0"



EE EAST ELEVATION

Scale: 1/4" = 1'-0"

PROJECT

Minor Use Permit
Paulson DRC2005-00244



EXHIBIT

East & West Elevations



PROJECT

Minor Use Permit
Paulson DRC2005-00244

EXHIBIT

Aerial Photograph

